of its enthusiasts have on the record no demonstrable concern for Israel's security, a fact that raises serious and unavoidable questions about motives. Many others who find an American guarantee an attractive alternative to measurable moves by Egypt adhere to a politics that would make the guarantee simply not credible. For a real guarantee to Israel might require a declared American interest and greater presence than the US now maintains in the Indian Ocean, the Mediterranean, and the Persian Gulf. Moreover, it implies a commitment to produce certain weapons and aircraft like the big transport planes and more advanced fighter planes which may face the ax in congressional budget-making. One cannot all at once credibly support an American guarantee in a very unsettled area while pushing for a general retrenchment of our foreign involvements everywhere else. Nor should it be imagined that the very idea of an American guarantee or protective arrangement with any country would appear at this moment in history as anything more than a bedraggled remnant of the past. There are many to blame for this, not the least the perpetrators of the Vietnam war. But congressional critics of American foreign policy, having belatedly and not very discriminatingly asserted legislative prerogatives against the executive, share responsibility for having rendered the US incapable of acting decisively for its own interests and those of its allies.

While there are, then, many objections to the US as guarantor of agreements, there is everything to be said for the US continuing its role as broker between the adversaries. Indeed, no power other than America, and perhaps no man other than Secretary Kissinger, could aspire to these historic burdens. Such achievements as there have been in the Middle East are directly attributable to him and to his persuasive powers. But the obligations that Israel and Egypt now assume in negotiations should be to each other, and not to Kissinger—if only to preserve his ability to function as broker in future talks.

Otherwise any violation committed by one side may injure his credibility with the other. In an interview with Philip Geyelin of *The Washington Post*, Sadat carried the concept of pledges to Kissinger one step further by suggesting—that the secretary personally be the guarantor of commitments reached through him. Mr. Geyelin thought this to reflect "new flexibility" on Sadat's part.

If Israel is gradually to withdraw from the largest portions of the occupied territories, then its enemies will have to persuade Jerusalem that these are not likely to be scenes of new battles against Israel's survival. It is fashionable to say—the power of clichés again!—that, with modern weapons, territory is no guarantee of security. But to think that is to have failed to learn one of the primary lessons of Indochina. With modern weapons, one should understand from the American air war against North Vietnam, you can heap excruciating torments on a country from afar; but unless you can get into its territory with conventional weapons and troops you cannot capture it or bring it to its knees. That is why a small country like Israel, with hostile borders straddling in places only a few kilometers of its pre-1967 territories, is justifiably anxious about exactly where her frontiers will be and what armies and hardware are to be allowed beyond them. Worrying about particular hills and valleys is no trifle for the Israelis: It is a bare hour's march from the Jordan River to Jerusalem; geography itself seems almost to threaten both the agricultural settlements in the north and population centers on the coast. The cliché about the insignificance of territory—a distinctly American perception, one thinks—ordinarily goes on to assert that the only real guarantee of security is genuine trust between neighbors. This no doubt is true, but that trust can be built best—if there is reason to trust at all—when neighbors obligate themselves to each other.

This is precisely the kind of trust that the Secretary of State has been trying to foster. It has not been easy in the past, and it will not be easier in the immediate future. What is likely to develop as Kissinger shuttles back and forth between Cairo and Jerusalem is something less than optimal movement toward peace. This realistic expectation has provoked in many quarters, and for diverse reasons, a backlash against the step-by-step, country-by-country structure of Kissinger's mediation. But much of the pressure to dispense with these particular negotiations and revert to the Geneva conference derives also from the fact that it is now open season on Dr. Kissinger. This has much less to do with his actual performance than with the general demoralization of American politics and an embarrassed overreaction to an embarrassing exaltation of Kissinger's talents in the past. Sen. Stevenson's attack on the Secretary's attachment to "the myth of his own personality and indispensability" is understandable as early campaign rhetoric. But the senator's corollary proposal to reconvene Geneva is not sensible.

For the strategy of peace requires first the maximization of those interests of Egypt that will keep it out of any future fighting in the Middle East. How much more difficult it would be to fix on the common concerns of Israel and Egypt in a conference attended by the other Arab states and with the redoubtable Gromyko in the chair. Sadat, in fact, does need peace. In a recent series of especially informative articles in the British *Guardian*, David Hirst found Egypt menaced by "serious internal instability . . . a growth of violence that is untypical of Egyptian society . . . deep social and economic frustrations, a sharpening of class antagonisms in a country where, some people now say, contrasts between rich and poor are quite as shocking, if different in nature, as they were in the day of King Farouk." This situation might incline Sadat to a diversionary adventure; but for the moment he has risked the enmity of fellow Arabs and alienated his on-again-off-again Russian benefactors to pursue Kissinger's byways. Consideration for Sadat's difficulties should not oblige the Israelis to overlook their own strategic concerns, but his problems do suggest that the coming talks may begin to unlock the generation-long political stalemate that has cost so many lives.

The reconvening of Geneva if these talks were to fail would be a perfect setting for the parties to play to the balconies with full peace plans that don't give anything. The good offices of the United States—stigmatized by failure—would be broken. The initiative then would shift to the Soviet Union which, with the backing of the Europeans and Japan, terrorized by the specter of another oil embargo, would seek to force upon Israel a *dictat* devoid of the preconditions or components of genuine peace. Sadat might also not be in attendance, pushed by failure off history's stage; or he might be there only because the Soviets allow him once again to be their client. Every disruptive influence, including especially the PLO, which already shows signs of decline despite its successes on Manhattan's East River, will come to the fore; and the king of Saudi Arabia will frantically be trundling his billions behind those aiming in the end to undo him as eagerly as they would undo Israel. Paradoxically the king would also then be doing service for the Russians who need the format of Geneva and the vehicle of the PLO to install themselves on Israel's eastern borders, a standing irritant playing for stakes incompatible with a decent settlement.

It will probably not be possible to avoid Geneva in the long run. But what ultimately happens there will be much less inconsistent with a peaceful resolution of the conflict if Sadat's heretical tactics have paid off for him and if Israel's territorial concessions win some significant political responses from Egypt.

For this would mean that U.S. diplomacy remains the key to an agreement between Israel and its neighbors, rather than another battered piece of evidence of how intractable their problems are. The awful prospect of Geneva without successful negotiations in the next stage on the Sinai should not induce a desperate Panglossian optimism about these present talks. But it is precisely the prospect of a witches' sabbath in Geneva that makes the success of Secretary Kissinger's current efforts so vital to those who live [illegible] otherwise might die in the Middle East.

ON POLYGRAPH TESTING

HON. EDWARD I. KOCH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1975

Mr. KOCH. Mr. Speaker, as a part of my legislative efforts to safeguard the privacy of individuals, I have sponsored legislation to control the use of polygraph testing in employment. I have recently amended H.R. 564 and reintroduced it as H.R. 2596, which places an absolute prohibition on such testing. A report on polygraph testing in employment by the Committee on Federal Legislation of the New York State Bar Association has been invaluable in the recasting of this bill. Because it has been so instrumental, I am including the text of the report, as follows.

REPORT OF THE COMMITTEE ON FEDERAL LEGISLATION ON POLYGRAPH TESTING IN EMPLOYMENT*

USE OF POLYGRAPH BY EMPLOYERS

Employees in both the public and private employment sector in the United States are increasingly being forced to submit to polygraph testing in connection with seeking employment and thereafter for varied reasons while employed.[1] It is reported that each year approximately 200,000 persons in private employment—as well as thousands of other employees in federal, state and local governments—take polygraph examinations.[2] Employers frequently justify the use of polygraph testing on the grounds that it (a) ferrets out undesirable applicants for employment and (b) constitutes a useful device to assist employers in security matters.[3] Not surprisingly, the polygraph service business has been growing. It is estimated that there are now between 4,000 and 5,000 polygraph practitioners in the United States.[4]

The polygraph machine, or lie detector as it is commonly called, attempts to analyze a machine's reaction to the uncontrolled variations in physiological responses, such as blood pressure, perspiration flow and breathing, generated in the subject by emotional stress caused by requiring the subject to reply to questions propounded by the polygraph operator.[5] Thus, in the employment context, the usual practice is for the polygraph operator to ask the employee a series of probing questions relating to personally sensitive areas such as the employee's family background, sex life, political views and personal relations. Such questioning usually

Footnotes at end of article.

covers a much broader area of inquiry than is normally followed by law enforcement agents. To illustrate—in the law enforcement area, polygraph examinations are normally limited to determining whether an individual is replying truthfully to questions specifically relating to whether the subject did or did not commit a particularly alleged act of criminal conduct.

The principal objections to the use of polygraph testing in the employment context may be summarized as follows: (a) Neither the reliability of the data obtained from polygraph testing nor the validity of the conclusions drawn therefrom has been scientifically established; (b) the use of polygraph testing infringes upon an individual's personal autonomy and privacy; and (c) the compulsory use of polygraph testing, because of the need to strap a person to a machine and ask him a wide range of questions, constitutes an affront to the individual's sense of personal dignity. Other arguments raised against the use of polygraph testing are that it violates the fundamental view that "one is innocent until proven guilty," that it forces the subject into a position of self-incrimination, and that it represents an illegal search and seizure of the subjects thoughts, attitudes and beliefs.[6]

While the use of polygraph testing may in some instances ease personnel administration and assist in maintaining security, there appear to be alternative means available to the employer to accomplish these aims such as the use of less restricted pre-employment interviews, the careful assessment of references, the investigation of prior work history, the creation of probationary work trial periods and the use of a wide variety of readily available security procedures and devices. Although use of the lie detector test may be the least costly method,[7] the economic savings alone are not large enough to justify its use.

LEGAL STATUS OF POLYGRAPH TEST

Polygraph test results have almost uniformly been barred as evidentiary material in both the federal [8] and state [9] courts, chiefly on the ground that such data is scientifically unreliable. Interestingly, J. Edgar Hoover, the late director of the Federal Bureau of Investigation, publicly expressed an opinion that polygraph tests were scientifically unreliable,[10] Similarly, there is ample evidence indicating that arbitrators, particularly in the labor arbitration field, have rejected polygraph testing data as admissible evidence in arbitration proceedings.[11] At present, 15 states have made the use of the polygraph tests in the employment context illegal, unless it can be established that an employee has voluntarily consented to submit to such a test.[12] Another 17 states have chosen to regulate polygraph operators through comprehensive licensing statutes which require the creation of regulatory boards for the certification of polygraph operators.[13]

These boards normally have the power to revoke for stated reasons licenses previously granted. While over the last several years bills on the subject have been introduced in the New York State Legislature, no bill has been passed either making the polygraph test illegal in the employment context or creating a regulatory scheme to govern polygraph use.[14]

Several legal writers have expressed the view that the use of polygraph testing on a compulsory basis in the employment context violates the federal constitutional rights of the subject, under the First, Fourth, Fifth and Fourteenth Amendments to the Federal Constitution.[15] Support for this position may be found in the Supreme Court decision in *Griswold* v. *Connecticut*,[16] which held unconstitutional a Connecticut state statute forbidding the dissemination of birth control information and the use of contraceptive devices. The Supreme Court found that the Connecticut statute violated the constitutional right of privacy of the litigants. The Court noted that requiring an individual to expose his beliefs, attitudes and associations chills the free exercise of First Amendment constitutional rights. However, the constitutionality of the polygraph test has not yet been litigated.

H.R. 688, PROHIBITING POLYGRAPH TESTING

H.R. 688 was introduced in the 93d Congress by Representative Koch on January 3, 1973 and has been referred to the House Committee on the Judiciary. Previous attempts in earlier Congresses to regulate polygraph testing have been unsuccessful.[17] H.R. 688 makes it unlawful for any employee of a federal governmental agency or of a department or for any person employed by an entity engaged in a business affecting interstate commerce to "require or request, or to attempt to require or request," any individual applying for employment or any individual presently employed to take any polygraph test in connection with his services or duties, or in connection with such individual's application for employment. This bill also makes it unlawful for the employer (whether governmental agency or private employer) to deny employment to, to deny promotion to, to discipline, or to discharge (or to threaten any of the aforesaid) any employee who refuses or fails to submit to a requested polygraph test. The willful violation of this proposed law is a misdemeanor punishable by a fine of up to $1,000 or imprisonment not exceeding one year, or both.

In addition, H.R. 688 provides that the employee or prospective employee who is aggrieved by violations or threatened violations of the provisions of H.R. 688 may bring a civil action against the offending employee of the governmental agency or the private employer for injunctive relief or for damages in his own behalf or as a class action in the appropriate United States District Court.

RECOMMENDATIONS RELATING TO H.R. 688

The Committee supports in principle the adoption of H.R. 688,[18] but suggests that the Bill be amended to prohibit absolutely the use of polygraph testing in the employment context, thereby precluding the use of the polygraph test even if the employee "voluntarily" consents to submit to it. This suggestion is offered because of the dubious validity ascribed to any consent obtained from an employee in view of the pressures and the weaker bargaining position of the employee in his relationship with his employer. If this revision is not accepted, consideration might be given to adding a proviso to H.R. 688 that any reference in the employee's files and records or any written notation by the employer of a refusal by the employee to consent to a polygraph test must be expunged.

Respectfully submitted.

Robert C. Miller, Chairman, Theodore W. Allis, J. Raymond Bell, Mark K. Benenson, John C. Bivona, Joseph P. Burke, William F. Connell, John P. Cuddahy, A. W. Driver, Jr., Stephen V. Dubin, James W. Fay, Gerard Fishberg, Alan W. Granwell, Joel B. Harris, Robert N. Landes, Ronald B. Mole, Michael J. O'Connor, John F. Reilly, Leslie Steinau, III, Robert L. Tooker, Robert R. Troup, Robert H. Werbel.

FOOTNOTES

* This report is based on the work of the Subcommittee on Polygraph Testing in Employment, Robert N. Landes, Chairman. Neither the Executive Committee nor the New York State Bar Association as a whole has taken any position on these recommendations.

[1] N.Y. Times, October 29, 1972 at p. 3 of Sunday Business and Financial Review. For a thorough discussion of the legal aspects of polygraph testing see Alan F. Westin, Privacy and Freedom (1967), Chapter Nine, "Truth Through Stress," 211–241 (hereinafter cited as "Westin"); and Donald H. J. Hermann III, Privacy, The Prospective Employee, and Employment Testing; The Need to Restrict Polygraph and Personality Testing, 47 Washington Law Review, 73–153 (1971) (hereinafter cited as "Hermann").

[2] N.Y. Times, November 22, 1971 at p. 1 and p. 45.

[3] See Westin at 236–237; Hermann 73–74. See also Inbau and Reid, The Lie-Detector Techniques; A Valuable Investigative Aid, 50 A.B.A.J. 470 (1964). For a discussion of scientifically improved versions of the polygraph machine see Edsin, "The Week in Review," N.Y. Times, November 28, 1971.

[4] N.Y. Times, *supra*. footnote 2.

[5] See Skolnick, Scientific Theory and Scientific Evidence: An Analysis of Lie-Detection, 70 Yale L.J. 694 (1961): "The scientific basis for lie detection is questionable. There seems to be little evidence that upholds the claim to a regular relationship between lying and emotion; there is even less to support the conclusion that precise inferences can be drawn from the relationship between emotional change and physiological response." "Whatever the unconditional accuracy of the lie detector, the number of false positives it diagnoses is going to be related to the number of true positives in the population being tested. This fact could make the use of lie detectors, even if they had high unconditional accuracy, questionable in those situations—such as personal screening—in which there are few positives in the population."

See also Hermann at 77–88; Westin at 211–212.

[6] See monograph sponsored by the American Civil Liberties Union entitled "The Use of Polygraphs as 'Lie Detectors' in Private Industry (1972)" prepared by Brown and Carlson.

[7] According to one source, the average lie detector test costs $25 compared with a fee in excess of $100 for a routine background search covering a prospective employee. N. Y. Times, October 29, 1972 at p. 3 of Sunday Business and Financial Review.

[8] See *Frye* v. *United States*, 293 F. 1013 (D.C. Cir. 1923). But in two recent federal district court decisions, *United States* v. *Ridling* (U.S. Dist. Ct. E. Mich., Oct 6, 1972) and *United States* v. *Zeigler* (U.S. Dist. Ct., Dist. of Columbia, October 10, 1972), evidence of polygraph test results were ruled admissible where defendants, who voluntarily took such tests, wished to offer the results in support of their respective defenses. See discussion of these two cases in the New York Law Journal, p. 4, October 27, 1972. See also discussion about similar California decision in New York Law Journal, November 10, 1972.

[9] For example, *People* v. *Forte*, 279 N.Y. 294 (1938); *State* v. *Bohner*, 210 Wis. 651 (1933); *People* v. *Becker*, 300 Mich. 562 (1942); and *State* v. *Cole*, 35 Mo. 181 (1945); *People* v. *Leone*, 25 N.Y. 2d 511 (1969); *People* v. *Jacobson*, Queens County, Supreme Court, Criminal Term (1972) as discussed by New York Law Journal, November 15, 1972.

[10] Warren Commission Report, p. 815.

[11] For example, Marathon Elec. Mfg. Corp., 31 Lab. Arb. 1040 (1959); United Mills, Inc., 63–1 CCH Lab. Arb. 8179 (Miller 1968); Ramsey Steel Co., Inc., 66–CCH Lab. Arb. 8310 (Carmichael 1966); Safeway Inwood Service Station, 44 LA 769 (Kornblum 1965). However, evidence of a polygraph test was admitted but not given significant weight, in Owens Corning Fiberglas Corp., 67–1 CCH Lab. Arb. 8378 (Doyle 1967).

[12] Alaska Stat. § 23.10.037 (1964); Cal. Labor Code § 432.2 (1953); Conn. Gen. Stat. Ann. § 31–51 (1967); Del. Code Ann. tit. 19, § 705

(1953); Hawaii Rev. Laws § 378–21 (1965); Md. Ann. Code art. 100 § 95 (1966); Mass. Gen. Laws ch. 149 § 198 (1963); Mich. Comp. Laws Ann. § 338.1728 (1973); Minn. Stat. ch. 181.75 (1973); Mont. H. B. 787 (3 CCH Employment Practices, Mont. ¶25,060 (May 16, 1974)); N.J. Rev. Stat. § 2A:170–90.1 (1966); Ore. Rev. Stat. §§ 639. 225.990 (1963); Pa. Stat. Ann. tit. 18 § 4666.1 (1969); R. I. Gen. Laws Ann. § 28.6.1–2 (1964); Wash. Rev. Code § 49.44.120 (1965).

[13] Ala. Code tit. 46 § 274 (1971); Ark. Stat. Ann. §§ 71–2201 to –2225 (1967); Fla. Stat. Ann. §§ 493.40–56 (1967); Ga. Code Ann. §§ 84–5001 –5016 (1968); Ill. Ann. Stat. ch. 38 §§ 202–1 to –30 (Smith-Hurd) (1963); Ky. Rev. Stat. §§ 329.010–990 (1962); Mich. Comp. Laws Ann. § 338.1701 to –1729 (1973); Miss. Code. Ann. §§ 39.8920–61 to –84 (1968); Nev. Rev. Stat. §§ 648.005–210 (1967); N. M. Stat. Ann. §§ 67–31–4 to –14 (1963); Gen. Stat. N. C. § 66–491.1 (1974); N.D. Cent. Code §§ 43–31–01 to –17 (1965); Okla. Stat. Ann. tit. 59 § 1451 to –1476 (1971); Code Laws S.C. § 56–1543.51; Tex. Rev. Civ. Stat. art. 2615 F–3 §§ 1–30 (1969); Utah Code § 34–37–1 to –14 (1973); Va. Code Ann. §§ 54–729.01 to –018 (1968).

[14] For a summary of the unsuccessful attempts to pass legislation in New York State outlawing the use of polygraph testing, see The Record, Association of the Bar of the City of New York, 322–324 (1966); see also Westin at 223–226. There are six Senate bills and one Assembly bill in committee for the 1974 Session of the legislature.

[15] See Hermann at 26–137. For an early treatise on the constitutional rights of privacy see Warran & Brandeis, The Right of Privacy, 4 Harv. L. Rev. 193 (1890).

[16] 381 U.S. 479 (1965).

[17] A series of bills were introduced into the Senate in the 89th and 90th Congresses culminating in the Senate's passage of S. 1035 in 1967, which prohibited the use of both polygraph and personality testing of federal government employees. However, S. 1035 died in the House Committee on Post Office and Civil Service during the 90th Congress. A similar bill, S. 1438 (barring the use of both polygraph and personality tests on federal government employees) was reintroduced in the 91st Congress and again in the 92nd Congress. In addition, two bills were introduced in the House during the 92nd Congress, H.R. 9449 and H.R. 9783, both identical to H.R. 688. H.R. 9783 is cosponsored by the members of the House Judiciary Committee. No hearings were ever held regarding these House bills.

[18] To refute a possible argument that H.R. 688 constitutes in the private employment area an unwarranted, and possibly an unconstitutional, interference with an employer's right to hire and discharge employees, mention should be made of several other major pieces of federal legislation, which also affect the employment relationship. In each of these instances, federal legislation restricting the employer's rights was enacted to achieve important social objectives. Thus, Section 8(a)(3) of the Labor Management Relations Act, 1947 (29 U.S.C.A. § 158(a)(3) (1965)), makes it unfair labor practice for an employer:

"by discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization . . ."

Similarly, Section 703(a)(1) of the Civil Rights Act of 1964 (42 U.S.C.A. § 2000 e–2(a)(1) (1970)) makes it an unlawful employment practice for an employer to:

". . . fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex or national origin."

Likewise, Section 4(a)(1) of the Age Discrimination in Employment Act of 1967 (29 U.S.C.A. § 623(a)(1) (1972 Supp.)), makes it unlawful for an employer:

"to fail or refuse to hire or to discharge any individual or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's age;"

Moreover, Section 304(a) of the Consumer Credit Protection Act (15 U.S.C.A. § 1674(a) (1972 Supp.)), provides that:

"No employer may discharge any employee by reason of the fact that his earnings have been subjected to garnishment for any one indebtedness."

PARKCHESTER 35 YEARS YOUNG

HON. MARIO BIAGGI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1975

Mr. BIAGGI. Mr. Speaker, it is with a great sense of pride that I advise my colleagues of the 35th anniversary celebration of the establishment of Parkchester, a community located within the Bronx portion of my congressional district.

On March 1, 1940, the dreams of such individuals as Frederic Ecker, a local civic leader, and others were culminated with the official opening of Parkchester. In the succeeding 35 years, Parkchester has grown both in size and stature and is now one of the most stable and respected communities in the entire city of New York.

I am proud to represent the people of Parkchester in Congress. I have a great deal of contact with the people of Parkchester and find them to be involved citizens committed to the preservation of their neighborhood and the betterment of the city of New York as a whole.

This Nation is preparing to celebrate its 200th birthday. Occasions such as this prove once again that the United States is really a nation of neighborhoods and the contributions of areas such as Parkchester and the numerous other communities large and small across the Nation should be saluted throughout our bicentennial celebration.

I salute the people of Parkchester on this joyous occasion. Many of the current residents have been in Parkchester for many of the 35 years, a further tribute to this fine community. Parkchester is a strong and viable community which will endure and grow in the years to come. At this point in the RECORD I wish to insert a most informative article published by the Bronx Press Review entitled "Parkchester Hits Ripe Age of 35":

PARKCHESTER HITS RIPE AGE OF 35

This week Parkchester becomes 35 years old.

The place has held up well, and so have many residents who were among the first to move in, back in 1940.

Ten years ago there were 1500 residents in the community—then owned by Metropolitan Life Insurance Company—they were FFPs, First Families in Parkchester. At that time Douglas Lowe, resident manager, sent out a personal letter to each of the quarter-century residents.

Their names were culled by the office staff in a search which was complicated by the fact that many of them had moved once or more within the community in the 25-year span.

The official opening date was Mar. 1, 1940, but the first resident in fact was Mrs. Margaret Crandall, who moved into 2001 McGraw Ave. on Feb. 22, with her children. Ten years ago she still was living at that address.

The South Quadrant was the first of the four units to be opened to residency, and to business tenants, too. In the first few months, while working still was going on for the completion of the West, East and North Quadrants, heavy trucks churned the streets into quagmires, and early residents trod on duckboards to keep out of the mud. The first stores opened were those on lower Unionport Rd. One laundry company even did business from a truck prior to taking store occupancy.

As many as 500 moving vans a day lumbered into the South Quadrant when the move-ins were started in earnest, residents taking apartments in the South quadrant apartment buildings and in five in the West Quadrant.

In those days Douglas Lowe was assistant manager in the rental department, and Frank C. Lowe, later to become a Metropolitan vice president in charge of all company housing, was the resident manager. They and the renting and administration staff members worked seven days a week, through most of 1940, to bring in the 12,272 families.

The advent of World War II delayed completion of the original renting lists. Because the heads of some 1500 families were going into the Armed Forces, they were released from lease obligations. But servicemen were promised they'd be given apartments when they returned from service, and this pledge was redeemed.

Ten years ago Douglas Lowe estimated that between 300 and 500 second generation members of the original movers-in had taken Parkchester apartments, too. At about the same time, the Press-Review printed a news item about a fourth-generation Parkchester family.

The establishment of the giant home center, at that time the largest in the world, in many ways transformed the Unionport community in which it was set on the site of the old Catholic Protectory. New churches were established to serve the newcomers, schools were enlarged or were constructed, a retail center was established within the community, and many stores were located in the fringe areas.

Today Parkchester still is a viable community, intact and serviceable, with its buildings in good repair, and its famous features, notably the Metropolitan Oval area, even more handsome now than ever before.

There have been changes, of course. There is a new landlord for the renters and a new program for the owners of condominiums in the North Quadrant.

And there are two strong tenants organizations in being now which were never thought seriously about in years past: the Parkchester Tenants Association, headed by a young man who grew up in the community, energetic Assemblyman John C. Dearie (D., 85th A. D.); and the Parkchester Defense Fund, led by dogged, resourceful John J. Whalen, who also heads Community Democratic Club—another comparative newcomer organization.

As someone has said "the days of wine and roses" are gone. Still, there's good water and there are flowers, for Parkchesterites.

When Doug Lowe sent out his quarter-century message he was able to note that in the first 25 years of the community there were six voluntary increases asked, and in those days, there was a 95 percent voluntary acceptance. Well, look, it's not the same now. There's the new ownership, headed by Harry Helmsley in fact and Parkchester Manage-

ment in title; there are the raises ordered through City agreements and announced by municipal departments, not by a resident manager. There are frictions and troubles occasioned by mistrust, but even more so by the zoom of expenses and the disarrayed shambles of the landlord-tenant situation throughout the City, throughout the country.

Always the Parkchester residents sense the presence of Harry Helmsley, whom only a comparative few of them ever have seen—at a dinner to Monsignor Gustave J. Schultheiss, former pastor of St. Raymond's Church.

The renters deal with Ben Lafiosca, who came to his post after serving years with Metropolitan housing. He is an engaging, concerned and forthright young man, frank and sensitive. And the head of highly attractive family. He has plunged into civic and philanthropic activities. He is a highly useful citizen who contributes a great deal to the Bronx at large.

Rix McDavid still is in charge of what used to be called the operating department. He is executive vice president of Parkchester Management; he has been on this job since before Parkchester opened, and he has a consuming drive to keep the community operating at highest level of efficiency.

There is a real estate office in the community, Brown, Harris, Stevens, Inc., on East Ave., sales agent for Parkchester North Condominium, and the condominium owners are holding their first meetings in preparation for taking over their share of operations of their own individually and privately-owned homes in the North.

The Court of Appeals last week gave rulings in favor of Harry Helmsley in suits against John J. Whalen and against Attorney General Louis J. Lefkowitz both. There is more legal actions posed, and conducted by the Parkchester Defense Fund.

And Mr. Whalen says that on balance, he and the Defense Fund won more from the Court of Appeals decision than was lost, despite the fact that the ruling appeared to be contrary. This he will develop.

Thirty-five years ago there was not a single black resident, despite the fact that applications were open in such public places as the first World's Fair in Flushing Meadows. The first occupancy was illegal—a sublease on civil rights testing grounds, the so-called Decatur case which ended in an eviction.

The first routine rental to a black followed when Frank C. Lowe personally arranged it—after pressure from the NAACP, to be sure. Today the presence of blacks, Latin-Americans and other minority group residents is a commonplace.

So, after more than one-third of a century, Parkchester—the personal pride of the late Frederic Ecker, president of the Metropolitan, is very much a community of service, healthy and attractive, offering good homes at rentals which still are moderate in view of the general market levels.

There are problems and there are troubles, but 35 years after the Crandall family moved in—

Parkchester—there she stands.

CONGRESSMAN NIX REINTRODUCES FREE CONSTITUENT MAIL BILL

HON. ROBERT N. C. NIX

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1975

Mr. NIX. Mr. Speaker, I am today reintroducing my bill to allow citizens to correspond free of charge with their Representative and Senators. Twenty-two Members of the House are joining me in cosponsoring this legislation.

As I have said before, correspondence between Members of Congress and their constituents is a vital part of the democratic legislative process. Members of Congress now have the right to correspond with their constituents free of charge under the franking privilege. My bill would extend this privilege to the constituent.

I believe it is important, in these days when the Federal Government has grown to be large and complex, that each citizen have free access to his Congressman. When a citizen has a question or problem relating to the Federal Government, he should be able to turn to his elected representatives, free of charge, to get the information or assistance he needs. When he wants to express his opinion on the issues of the day, he should be able to contact his Congressman free of charge.

Mr. Speaker, I believe that enactment of this bill would be an important reform that would make Congress and the Federal Government better servants of the people.

CONGRESSIONAL BLACK CAUCUS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1975

Mr. RANGEL. Mr. Speaker, on Thursday, February 27, the Congressional Black Caucus announced its legislative agenda for the 1st session of the 94th Congress. This legislative agenda is the Caucus' first formal statement of legislative goals and activities for the upcoming session of Congress.

The Congressional Black Caucus has as its motto, "We have no permanent friends and no permanent enemies, only permanent interest." The Caucus will be working with other groups inside and outside the Congress to develop legislative strategy around these common interest. This agenda will secure as a backbone for the Caucus' attempts to curb the present economic recession through sound and meaningful legislation.

The agenda will be presented in three parts. Today I submit to my colleagues an overview and opening statement of the Caucus' legislative priorities of 1975:

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CONGRESSIONAL BLACK CAUCUS, LEGISLATIVE AGENDA, 94TH CONGRESS, 1ST SESSION

For too long, we have seen no fundamental change in our national policies and priorities in response to domestic needs. In the 1930's, the Great Depression led to a system of Social Security. Following the War, the Employment Act of 1946 was passed. In the 1960's major civil rights laws were passed. And in the mid-'60's, a belated and only partial response to the problems of poverty was begun.

Today, we face a period of economic turmoil following closely an era of tragic international and American political turmoil. Yet, as in the '30's, these great events have served to create a common understanding among most Americans as to our common dilemma. It is not the rich against the poor, black against white. Instead, there is a mutual recognition that any of us may be the next victim of unemployment, and that all of us will most certainly be the next victims of inflation.

The Congressional Black Caucus has as its motto that "we have no permanent friends and no permanent enemies, only permanent interests." At this time of economic distress, we feel we have many more friends than enemies, as our interests are even more clearly those of the nation. While our foremost concerns are those of blacks, those concerns and their remedies are inextricably intertwined with those of all Americans.

This legislative agenda begins to address